

VZCZCXRO6450  
OO RUEHLA  
DE RUEHC #1302/01 2442349  
ZNY CCCCC ZZH  
O 012331Z SEP 09  
FM SECSTATE WASHDC  
TO RUEHSW/AMEMBASSY BERN IMMEDIATE 6452  
RUEHNY/AMEMBASSY OSLO IMMEDIATE 8524  
RUEHOT/AMEMBASSY OTTAWA IMMEDIATE 6418  
RUEHUL/AMEMBASSY SEOUL IMMEDIATE 1767  
RUEHKO/AMEMBASSY TOKYO IMMEDIATE 0379  
RUEHWL/AMEMBASSY WELLINGTON IMMEDIATE 0250  
RUEHLA/AMCONSUL BARCELONA IMMEDIATE 2734  
RUEHGV/USMISSION GENEVA IMMEDIATE 8733  
INFO RUEHBY/AMEMBASSY CANBERRA IMMEDIATE 5131  
RUEHUNV/USMISSION UNVIE VIENNA IMMEDIATE 5374  
RUCNDT/USMISSION USUN NEW YORK IMMEDIATE 7543

C O N F I D E N T I A L SECTION 01 OF 04 STATE 091302

SIPDIS

E.O. 12958: DECL: 08/31/2019

TAGS: [PREL IS PHUM](#)

SUBJECT: ISRAEL'S MEMBERSHIP IN JUSCANZ

Classified By: Classified by IO A/S Esther Brimmer  
for reasons 1.4 (b) and (d).

OBJECTIVE - ALL ACTION ADDRESSES  
-----

¶1. (SBU) Using talking points in paragraphs 11 and 12 below, Action Embassies and Consulate Generals are requested to demarche host governments (for Embassy Bern - Switzerland and Liechtenstein, for Consulate General Barcelona - Andorra) at the highest appropriate level to gain support for Israel's full membership in the JUSCANZ coordination groups in New York and Geneva, prior to the commencement of the Human Rights Council session on September 14, 2009. Posts may draw judiciously on background in paragraphs 2 - 5, if required, to deliver the demarche. (Note: Mission Geneva has assessed that it would be preferable to demarche Iceland and Monaco in Geneva rather than in capital. End note.)

BACKGROUND  
-----

¶2. (SBU) JUSCANZ is an informal group that includes Japan, Korea, the United States, Canada, Australia, New Zealand, Norway, Iceland, Liechtenstein, Monaco, Andorra and Switzerland. JUSCANZ is primarily a tool for sharing information at the UN and is not a policy-coordination mechanism. Members are not expected to reach consensus positions on issues; rather, JUSCANZ meetings are typically conducted in New York and Geneva to share information on the status of resolutions and to flag potential problems or issues for other delegations. (N.B. JUSCANZ also operates in New York to address management issues). It functions in much the same way as a UN regional group coordination mechanism without an emphasis on developing consensus positions. In both New York and Geneva (and elsewhere), JUSCANZ chairmanship rotates among the members.

¶3. (SBU) Israel is the only Member State of the United Nations that is unable to participate consistently in a regional vice consultative group throughout the UN system. Under the UN's regional breakdown, Israel should be a member of the Asian Group, but its participation is prevented by the Arab States. (Note: The UN's Asian Group includes the countries covered by NEA (except for North Africa, which is included in the Africa Group), SCA, and EAP (except for Australia and New Zealand, which are members of the Western European and Others Group). End note.

¶4. (SBU) The United States is a member of the Western European and Others Group (WEOG) in the UN, and Israel is a

member of WEOG in New York only. For many years, the United States has tried to gain full membership for Israel in both WEOG and JUSCANZ in New York, Geneva and Vienna. The U.S. sees Israel,s full membership in both these groupings as a key step in a campaign to broaden Israel,s engagement at the UN. Israel,s acceptance in JUSCANZ in Geneva and New York is a step towards this larger goal.

15. (SBU) Thus far, Israel is a full JUSCANZ member at the following UN bodies:

UNGA Second and Fifth Committees; New York  
UN Conference on Trade and Development(UNCTAD);  
Geneva  
UN Environment Program - Basel, Stockholm and  
Rotterdam Conventions - Conference of Parties (COP);  
Geneva

(Note: The configuration of JUSCANZ for 2nd, 3rd and 5th committees in NY and in Geneva differ slightly. Indeed, some governments other than those listed here are included in JUSCANZ in some instances. End note. In addition, Israel is a member of Group B (the JUSCANZ equivalent) at the World Intellectual Property Organization (WIPO) in Geneva.

POSITIONS OF HOST GOVERNMENT TO DATE

STATE 00091302 002 OF 004

16. (C) The governments of New Zealand, Switzerland, and Liechtenstein have traditionally been the primary obstacles to Israeli membership in JUSCANZ in Geneva. Mission Geneva assesses that Switzerland and Liechtenstein seem content to hide behind the fact that there is no consensus to avoid the appearance that they are blocking Israel,s membership. Department leadership has decided it is important to send a strong message to these countries that consensus in support of Israeli membership is emerging among key JUSCANZ members.

17. (C) Several JUSCANZ countries are supportive of Israel,s membership in JUSCANZ. Australia, the current Chair of JUSCANZ in Geneva, is interested in securing Israel's place in the group as soon as possible, and preferably before the start of the HRC's session on September 14th (Note: The Australians cannot actually present the proposal, because as Chair, they must confine themselves to playing a facilitating role. End note.) We understand Canada has already sent instructions to its Mission in Geneva to join us in such a proposal although we also propose demarching in capital to reconfirm Ottawa,s support. We further assess Japan and South Korea to be supportive. A recent inquiry with the Japanese mission in Geneva revealed that the Japanese ambassador was quite supportive but thought that Tokyo would need to be pushed to get to an official position of support.

18. (C) Department views New Zealand as the lynchpin in securing this key objective prior to September 14. If New Zealand representatives were to openly support/co-sponsor a specific proposal for Israeli membership in JUSCANZ, it is likely that Switzerland and Liechtenstein would follow suit. After some heavy diplomatic engagement on this issue in Geneva and Washington DC, New Zealand's Ambassador to the U.S., Roy Ferguson, conveyed that Wellington,s clear position is that New Zealand will not block Israeli membership and will join any consensus on this matter within JUSCANZ.

19. (C) In a recent conversation with the DCM at the Swiss Embassy in Washington, A/S Brimmer was told that Bern,s current position is that they do not object to the participation of Israel in JUSCANZ, but maintain their requirement that the conditions put forward at a JUSCANZ meeting in February 2008 be met. These include the following:  
There must be consensus among all members of JUSCANZ in favor of Israel,s membership

Israel,s membership of JUSCANZ in Geneva should not create a precedent or prejudice Israeli admission into other Western Groups, in particular WEOG

Israel should not participate in discussions pertaining to the Israel/Palestine conflict

Israel must comply with the Special Procedures of the Human Rights Council

According to the Swiss DCM, other JUSCANZ members share this view, including Norway, Japan, South Korea and Liechtenstein.

¶10. (C) Norwegian support could also help push this forward. Norway,s representatives in Geneva commented that JUSCANZ was already far from likeminded on many issues, mentioning difficulties they have with Canada,s policy on indigenous people and opining that in many ways, their policy priorities aligned more with Israel than with the United States. In addition, Israel,s support for the DPRK and Sudan special procedure mandate renewals should help counter some JUSCANZ members, concerns that Israel,s membership would decrease cohesion on country mandates. Norway seemed receptive to the argument that it is simply illogical for Israel to be excluded from all regional groupings although they noted that they would need to consult with their minister if such a proposal came forward. (Note: The Norwegian PolCouns in Geneva is returning to Oslo where he will take over responsibility for their human rights office and so his opinion will continue to carry weight. End note.)

#### SUGGESTED TALKING POINTS

¶11. (SBU) Talking points:

STATE 00091302 003 OF 004

-- Israel is the only Member State of the United Nations unable to participate in a regional group because of Arab opposition to its rightful membership and active participation in the UN's Asian Group.

-- Israeli membership in New York and Geneva,s informal consultative JUSCANZ group has been under consideration for some time. It is strongly supported by Australia, Canada, and the United States as a matter of principle, and we now seek consensus among JUSCANZ members to include Israel in the group.

-- The USG particularly wants to see JUSCANZ include Israel as a member in New York and Geneva prior to our beginning our membership of the Human Rights Council (HRC) on September 14. This is of great importance to the United States.

-- The Human Rights Council has taken an unconstructive approach to Israel, which has proven to be a significant impediment to the Council,s effective functioning. Through the course of our membership in the UN HRC, we hope to identify ways to improve and balance the treatment of Israel in the UN system. Securing Israel,s membership in JUSCANZ is a significant part of these efforts. We hope our friends who have long urged the USG to join the HRC will now help us with initiatives, such as this one, which will make the Council more credible and effective.

-- Contrary to some misperceptions, Israel will not be focused solely on its own politics. It has a long tradition of engagement on a wide range of issues across the UN. For instance, this year, Israel co-sponsored HRC resolutions on the following topics: administration of justice, climate change, disabilities, alternative childcare guidelines, arbitrary detention, enforced or involuntary disappearances, an optional protocol to the Convention on the Rights of the Child, countering terrorism, torture, religious discrimination, forensic genetics, violence against women, maternal mortality, trafficking in persons, and education.

Similarly, Israel also co-sponsored the DPRK country resolution and will not stand in the way of any such country focus.

-- Members of JUSCANZ are not expected to coordinate positions, or to approve or accept all of the policies and practices of every other member. The lack of similarity of perspective across all areas has not diminished the value of JUSCANZ consultations. As such, we believe that Israel's participation in JUSCANZ will positively contribute to the sharing of ideas among its members.

-- While some countries may fear the anticipated negative perception by other delegations of Israel's membership in JUSCANZ, the Human Rights Council should not be the forum for perpetuating exclusionary attitudes. JUSCANZ countries are among those most devoted to improving the HRC. It could be perceived as contradictory for JUSCANZ to display such exclusion.

-- My government is prepared to intercede at the highest levels on this issue. We ask for the support of your government and your delegations in Geneva and New York.

¶12. (SBU) If Needed Talking Points:

-- If needed: Israel's membership should be unconditional and on terms identical to those under which all other JUSCANZ members participate (e.g., Israeli representatives should not be required to leave the room when Middle Eastern issues are discussed, just as other members do not leave when situations directly involving them are discussed). It would only perpetuate the existing unfairness were Israel to be exclusively subjected to conditions, where others are not. Given the informal nature of JUSCANZ meetings in Geneva and New York, such distinctions would be difficult to make in any case.

-- If needed: New Zealand officials have told us that they would not oppose consensus.

POINTS OF CONTACT AND REPORTING DEADLINE

-----  
STATE 00091302 004 OF 004

¶13. (SBU) Posts are requested to report results of demarches no later than Friday, 4 September 2009, or direct inquiries for further information, to Amy Ostermeier, Courtney Musser and Colleen Neville in IO/RHS.

¶14. (SBU) Department greatly appreciates posts, expeditious assistance in this important matter.  
CLINTON